

UNITED STATES DISTRICT COURT

Middle DISTRICT OF Tennessee

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

BENITO RAYO ROSAS
MIGUEL ANGEL GARCIA NAVARRO
SERATIN BENITEZ-CUAUHEMOC
a/k/a CUACHTRMOC SERAFIN-BENITEZ

Case Number:

13 - 2064 MK

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. From on or about June 17, 2013 to on or about June 26, 2013 in Davidson county, in the Middle District of Tennessee defendant(s) did,

(Track Statutory Language of Offense)

conspire to possess with intent to distribute five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance,

in violation of Title 21 United States Code, Section(s) 846

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts:

SEE ATTACHMENT

Continued on the attached sheet and made part of the complaint:



W. Holton
Signature of Complainant

William Holton

Printed name of Complainant

Sworn to before me and signed in my presence

6/26/2013

Date
E. Clifton Knowles

Name of Judge

U.S. Magistrate Judge

Title of Judge

Nashville Tennessee
City State

E. Clifton Knowles
Signature of Judge

STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT

(Benito Rayo ROSAS, Miguel Angel Garcia NAVARRO and Seratin Benitez-CUAUHEMOC, aka Cuachtrmoc Serafin-BENITEZ)

I, William Holton, having been duly sworn upon oath, state as follows:

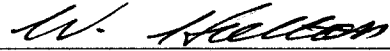
1. I am a Task Force Officer with the Drug Enforcement Administration currently assigned to the Nashville, Tennessee District Office.
2. This affidavit is submitted in support of a Criminal Complaint for the arrest of Benito Rayo ROSAS (hereafter ROSAS), Miguel Angel Garcia NAVARRO (hereafter NAVARRO) and Seratin Benitez-CUAUHEMOC, aka Cuachtrmoc Serafin-BENITEZ (hereafter CUAUHEMOC) for Conspiracy to Possess Cocaine HCL with the Intent to Distribute, in violation of Title 21, United States Code, Sections 846, et al, on June 26, 2013, in connection with events which occurred in the Middle District of Tennessee.
3. The following information contained in this affidavit is based on my training and experience, my personal participation in this investigation, and information provided to me by other law enforcement officials. Where conversations are related herein, they are related in substance and in part. Not all of the facts of the investigation known to me are contained herein, only those necessary to establish probable cause for the arrest of ROSAS, NAVARRO and CUAUHEMOC.
4. On the 25th day of June 2013, Drug Enforcement Administration (DEA) Nashville District Office (NDO) Group Supervisor (GS) Brad Uhl was contacted by Special Agent (SA) Leann Baker in regards to a traffic stop initiated by Arkansas State Police in Hot Springs County, Arkansas.
5. SA Baker advised GS Uhl that the driver, ROSAS, was the sole occupant of a 2001 Dodge Ram. A consensual search and K-9 alert of the vehicle resulted in the discovery of nineteen kilograms of Cocaine HCL secreted within a hidden compartment located in the toolbox, which was positioned in the rear of the 2001 Dodge Ram.
6. ROSAS agreed to cooperate with law enforcement and stated the nineteen kilograms of Cocaine HCL were destined for Nashville, Tennessee. Little Rock Office DEA Agents transported ROSAS, the 2001 Dodge Ram and the nineteen kilograms of Cocaine HCL to the Middle District of Tennessee in order to attempt a controlled delivery. ROSAS stated that he had delivered five kilograms of Cocaine HCL the previous week to NAVARRO and CUAUHEMOC.
7. On that same date ROSAS, Arkansas DEA Agents, the 2001 Dodge Ram and the nineteen kilograms of Cocaine HCL arrived in the Middle District of Tennessee. Agents replaced the

actual nineteen kilograms of Cocaine HCL with nineteen kilograms of "sham" (fraudulent Cocaine HCL).

8. ROSAS stated that he was supposed to deliver the 2001 Dodge Ram to the Overlook Apartment Homes located at 727 Bell Road, Antioch, Tennessee. ROSAS stated he would meet with other members of the Drug Trafficking Organization (DTO) at this location. ROSAS was released by Agents at 2350 hours to attempt the controlled delivery. ROSAS was monitored by Agents and captured both audio and video recordings of the transaction. Surveillance observed NAVARRO and CUAUHEMOC driving around the parking lot of the apartment complex. From my training and experience, I suspect that the purpose of this was to attempt to determine if law enforcement was present in the area.
9. ROSAS arrived at 727 Bell Road at 2353 hours. ROSAS made contact with NAVARRO and CUAUHEMOC in the parking lot. CUAUHEMOC subsequently instructed ROSAS to back the 2001 Dodge Ram into a garage located on the premise. Once inside the garage, CUAUHEMOC and ROSAS began to empty the back of the toolbox which contained the "sham" kilograms. NAVARRO drove around the parking lot and conducted what appeared to Agents to be counter surveillance for CUAUHEMOC and ROSAS.
10. A reasonable amount of time was given to CUAUHEMOC and ROSAS to access the hidden compartment before Agents entered the garage area. CUAUHEMOC and ROSAS were taken into custody inside the garage. NAVARRO was taken into custody in front of apartment 1622.
11. CUAUHEMOC stated that he lived on the premises with his friend. CUAUHEMOC consented to a search of his residence but did not have a key. CUAUHEMOC stated that his friend NAVARRO had the key to the apartment. Agents recovered the keys from NAVARRO and conducted a consensual search of apartment 1622.
12. Search of apartment 1622 revealed a money counter, packaging material, masking agents, grease, rubber bands, digital scales, vacuum seal bags and two sets of car keys. One set of the keys matched a 2006 GMC Sierra located in the parking lot in front of apartment 1622. The 2006 GMC Sierra was registered to ROSAS. An inventory search of the 2006 GMC Sierra revealed multiple rubber banded stacks of U.S. currency, four bullet proof vest, two handguns and over a half kilogram of Cocaine HCL. ROSAS stated that the 2006 GMC Sierra is the vehicle he used the previous week to deliver the five kilograms of Cocaine HCL to NAVARRO and CUAUHEMOC.

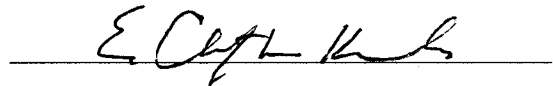
CONCLUSION

13. Based on the aforementioned information, your Affiant believes probable cause exists that Benito Rayo ROSAS, Miguel Angel Garcia NAVARRO and Seratin Benitez-CUAUHEMOC, aka Cuachtemoc Serafin-BENITEZ have violated Title 21, United States Code, Section 846.



William Holton
Task Force Officer, Drug Enforcement Administration

Sworn to and subscribed before me on this 26th day of June, 2013.



UNITED STATES MAGISTRATE JUDGE